

STEVEN T. KIRSCH
13930 La Paloma Road
Los Altos Hills, CA 94022
Phone: (650) 941-0248
Facsimile: (408) 716-2493
Email address: stk@propel.com
In pro per

JOHN C. BROWN (State Bar # 195804)
Redenbacher & Brown, LLP
580 California Street, Suite 1600
San Francisco, California 94104
Phone: (415) 409-8600
Facsimile: (415) 520-0141
Email: jbrown@redbrownlaw.com

Attorneys for Defendant, STEVEN T. KIRSCH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HOWARD HERSHIPS,
Plaintiff,

vs.

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF CALIFORNIA, *et al.*,
Defendants.

Case No.: C 06-CV-6644 JF/RS

**[PROPOSED] ORDER GRANTING
MOTION BY STEVEN T. KIRSCH TO
DISMISS COMPLAINT (28 U.S.C.
§1915(e)(2)(B))**

Date of Motion: September 5, 2008
Time of Motion: 9:00 a.m.
Ctrm: #3, 5th Floor
Judge: The Hon. Jeremy Fogel
Case Filed: October 25, 2006
Trial date: None

This matter is before the Court on the Motion to Dismiss under 28 U.S.C. §1915(e)(2)(B) brought by defendant Steven T. Kirsch. After reviewing all matter submitted relating to this motion, the Court determines that plaintiff Howard Herships has filed a frivolous *in forma pauperis*

1 action, and that it should be dismissed with prejudice.

2
3 For the foregoing reasons, the Motion To Dismiss of defendant Steven T. Kirsch is GRANTED
4 and the claims of Howard Hershops against Steven T. Kirsch are dismissed with prejudice.

5
6 **IT IS SO ORDERED.**

7
8 Dated: _____

9 THE HON. JEREMY FOGEL

10 UNITED STATES DISTRICT JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28